

## REMARKS

This Amendment is in response to the Office Action mailed July 13, 2005. The Examiner's comments in the Action have been carefully considered. The Office Action has a one-month term (to August 13, 2005) for correcting the language of the specification. A second term, three months (to October 13, 2005), has been set for responding to the remainder of the Action (e.g., prior art rejections). This Amendment deals with the Examiner's objections to the language of the specification. A later response will address the Examiner's further rejections.

The Examiner has objected to the specification, indicating, for example, that the description of Figure 3 is not understood. During a telephone conversation on August 10, 2005, the undersigned attorney for applicant discussed the specification with the Examiner. This will confirm that Figure 3 in the subject application is solely a frequency allocation chart for broadcast and cable channels in North America that is readily available from many reference sources. In fact, most of the data in this chart is also included in Figure 4 of U.S. Patent No. 4,479,214 to Sakakibara et al., cited by the Examiner, and in a patent issued to the same assignee as the assignee of the subject application.

During the telephone conference, the Examiner indicated that, in fact, it was the description of the three frequency ranges recited in the claims that was not understood. It was pointed out that these three frequency ranges are more accurately associated with Figures 4 and 5 of the subject application, and the Examiner is respectfully requested to reconsider and withdraw the subject objection after considering the amendments to the specification. More specifically, the Examiner's attention is respectfully directed to the 2nd full paragraph on page 6 of the specification (as amended) and the 1st full paragraph on page 7 of the specification (as amended).

In the subject application, referring to Figures 4 and 5, the nature of the TV channels is determined by counting receivable channels. Typically, such channels are spaced 6 MHz apart. However, image, "ghost" or spurious center frequencies sometimes appear in a given band. These are

not truly a part of the band. In the example given, a TV broadcast center frequency may appear within the cable band frequencies, causing the spurious channels to most typically appear approximately + 2 MHz from the center frequencies of interest. As indicated in Figure 5, therefore, a blocking filter is provided about such spurious center frequencies spaced 2 MHz from frequencies of interest by excluding the frequency ranges of  $\pm 200$  kHz that exist about such spurious "ghosts" or image carriers. Because the apparatus and method are based on counting channels within  $\pm 200$  kHz ranges or bands, signals appearing within such "blocked" bands would not be counted and would not create errors in the results. These latter, blocked frequency ranges are the "third" frequency ranges of the claims. The first frequency ranges are the  $\pm 200$  kHz ranges about the "CATV center frequency" shown in Figure 5. The second frequency ranges are the bands or frequencies between a channel center frequency and an image, spurious or "ghost" frequency positioned + 2 MHz. Second frequency ranges are always approximately + 2 MHz, because at that frequency shift the erroneous or undesirable channels appear.

In view of the foregoing, it is respectfully requested that the Examiner reconsider and withdraw the objections to the specification. This application appears to be in better condition for examination, and examination of all the claims of record is requested.

*Applicant hereby petitions that any and all extensions of time of the term necessary to render this response timely be granted. COSTS FOR SUCH EXTENSION(S) AND/OR ANY OTHER FEE DUE WITH THIS FEE DUE WITH THIS PAPER THAT ARE NOT FULLY COVERED BY AN ENCLOSED CHECK MAY BE CHARGED TO DEPOSIT ACCOUNT #10-0100.*

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